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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,850	02/16/2005	Markus Berger	202-057	1250
52203 7590 02/09/2007 CONTINENTAL TEVES, INC. ONE CONTINENTAL DRIVE AUBURN HILLS, MI 48326-1581			EXAMINER AFTERGUT, JEFF H	
			ART UNIT 1733	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/518,850

Applicant(s)

BERGER ET AL.

Examiner

Jeff H. Aftergut

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6 and 7 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12-22-2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by either one of E.P. 1,099,531 or German Patent 19846852.

Either one of E.P. '531 or German Patent '852 suggested a device for guiding individual reinforcement filaments upon a carrier defining a carrier axis with the carrier being moveable in the direction of the carrier axis wherein the arrangement comprises a positioning disc having a plurality of filament guides arranged distributed on a circular ring of the positioning disc and a rotation-symmetrical deflecting element. Both references teach that the positioning disc and the deflecting element are each concentrically enclosing the carrier. Additionally, both E.P. '531 and German Patent '852 suggested that the deflecting element was mounted within the positioning disc and axially aligned to the positioning disc. In each reference, the deflecting element has an end face and a peripherally extending curved inner edge formed on its end face with the curved inner edge being toward the carrier at the run in end. The filament guides of the positioning disc open directly at the curved inner edge of the deflecting element. The applicant is more specifically referred to Figure 3 of both references for the specific arrangement of the carrier, the positioning disc, and the deflecting element. As depicted in Figure 1b, the positioning disc was clearly provided with the specified guide

Art Unit: 1733

arrangement. As disclosed with regard to Figure 2, the deflecting element had the specified shape identified in the claims and the components were arranged in the fashion claimed in order to provide an arrangement for guiding filaments upon a carrier.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over either one of E.P. 1,099,531 or German Patent 19846852 further taken with McClean.

The references to E.P. '531 or German Patent '852 are discussed at length above in paragraph 2 and applicant is referred to the same for a complete discussion of the same. The references taught that one skilled in the art would have employed a ring which included a plurality of openings therein in order to guide the filaments to the deflecting mechanism onto the axis of the carrier component. The references failed to teach that one would have employed "struts" or pins on the ring to facilitate the feeding of the filaments to the deflecting component and to the axis of the carrier component.

The reference to McClean suggested that one skilled in the art would have employed a ring which included a plurality of pins or rollers positioned thereabout over which the filaments were guided in order to facilitate the feeding of the filaments to the mandrel. More specifically, McClean suggested that one skilled in the art would have employed a guide member 23 which included rollers 28 mounted on pins 29 which were

Art Unit: 1733

positioned between spaced rings 25. the pins 29 with the rollers 28 thereon provided a superior way to properly space the filaments about the mandrel and additionally provided a relatively simple way to thread the filaments onto the mandrel when rethreading or initial threading takes place, see column 6, lines 22-28, column 6, lines 34-40. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the techniques of McClean for feeding the strands into the mandrel with a circular ring mechanism which included guide pins therein in the system for applying filaments upon a carrier as taught by either one of E.P. 1,099,531 or German Patent 19846852.

Allowable Subject Matter

5. Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the prior art of record taught or suggested that one skilled in the art would have incorporated a cover disc over the surface of the positioning disc where the covering disc was releaseably assembled on the surface of the positioning disc.


Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references to Kaczerginski, Baker et al , Martin, Muller, Farris et al, and Rix all taught various means to circumferentially dispose fibers about a form or mandrel in the lay up of the reinforcement upon the same .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff H. Aftergut whose telephone number is 571-272-1212. The examiner can normally be reached on Monday-Friday 7:15-345 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jeff H. Aftergut
Primary Examiner
Art Unit 1733

JHA
February 3, 2007